

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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In re Application of:  
Broussard

Group Art Unit: 2173  
Examiner: Bonshock, D.

Serial No. 09/870,614

Atty. Dkt. No. AUS920010265US1

Filed: May 31, 2001

For: **DYNAMIC BUFFERING OF GRAPHIC  
IMAGES BY A PLATFORM  
INDEPENDENT APPLICATION  
PROGRAM INTERFACE**

I hereby certify that this correspondence is being transmitted via facsimile or deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date indicated below:

12/20/2004  
Date

Kevin L. Daffler

**APPEAL BRIEF**

Box AF  
Commissioner for Patents  
Washington D.C. 20231

Sir/Madam:

Further to the Notice of Appeal faxed October 26, 2004 and received in the U.S. Patent and Trademark Office on the same day, Appellant presents this Appeal Brief. The Notice of Appeal was filed following mailing of a final Office Action on August 13, 2004. Appellant hereby appeals to the Board of Patent Appeals and Interferences from a final rejection of claims 1-22 in the Final Office Action, and respectfully requests that this appeal be considered by the Board.

**1. REAL PARTY IN INTEREST**

The subject application is owned by International Business Machines Corporation, a corporation having its principal place of business at New Orchard Road, Armonk, New York, 10504, as evidenced by the assignment recorded at Rcel 011888, Frame 0549.

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